



US Army Corps
of Engineers
Seattle District



Joint Public Notice

Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone (509) 682-7010
Attn: Debbie Knaub, Project Manager

WA Department of Ecology
SEA Program
300 Desmond Drive Southeast
Olympia, WA 98503-7600
Telephone (360) 407-6068
Attn: SEA Program, Federal Permit
Coordinator

Public Notice Date: 2 March, 2009
Expiration Date: 1 April, 2009

Reference No.: NWS-2008-1572
Name: RLK LLC (Bluewater Terrace)

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

APPLICANT: RLK LLC, John Kuntz (Bluewater Terrace)
P.O. Box 185
Manson, Washington 98831

AGENT: Ryan Walker
Grette Associates
151 South Worthen Street, Suite 101
Wenatchee, Washington 98801
Telephone: (509) 663-6300

LOCATION: In Lake Chelan, and in a tributary of Lake Chelan, at Chelan, Chelan County, Washington

WORK: Construct a 10-slip community pier (2,280 square feet of overwater coverage, 110 feet extent from OHWM) with 24 steel piling in 24 concrete footings; remove an existing swim float.

PURPOSE: To provide recreational lake access and boat moorage.

MITIGATION: Install large woody debris (twelve LWD structures with 36 whole mature fruit trees (8-10 feet each) with limbs and rootwads attached and anchored to the lake bed)) providing 2,304 square feet of habitat.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7

of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). There is no area of EFH on Lake Chelan. Because of this, the Corps has determined that the proposed action would not impact EFH.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The permit area is likely to yield resources eligible for inclusion in the National Register. An investigation for the presence of potentially eligible historic properties is justified.

The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

EVALUATION—ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

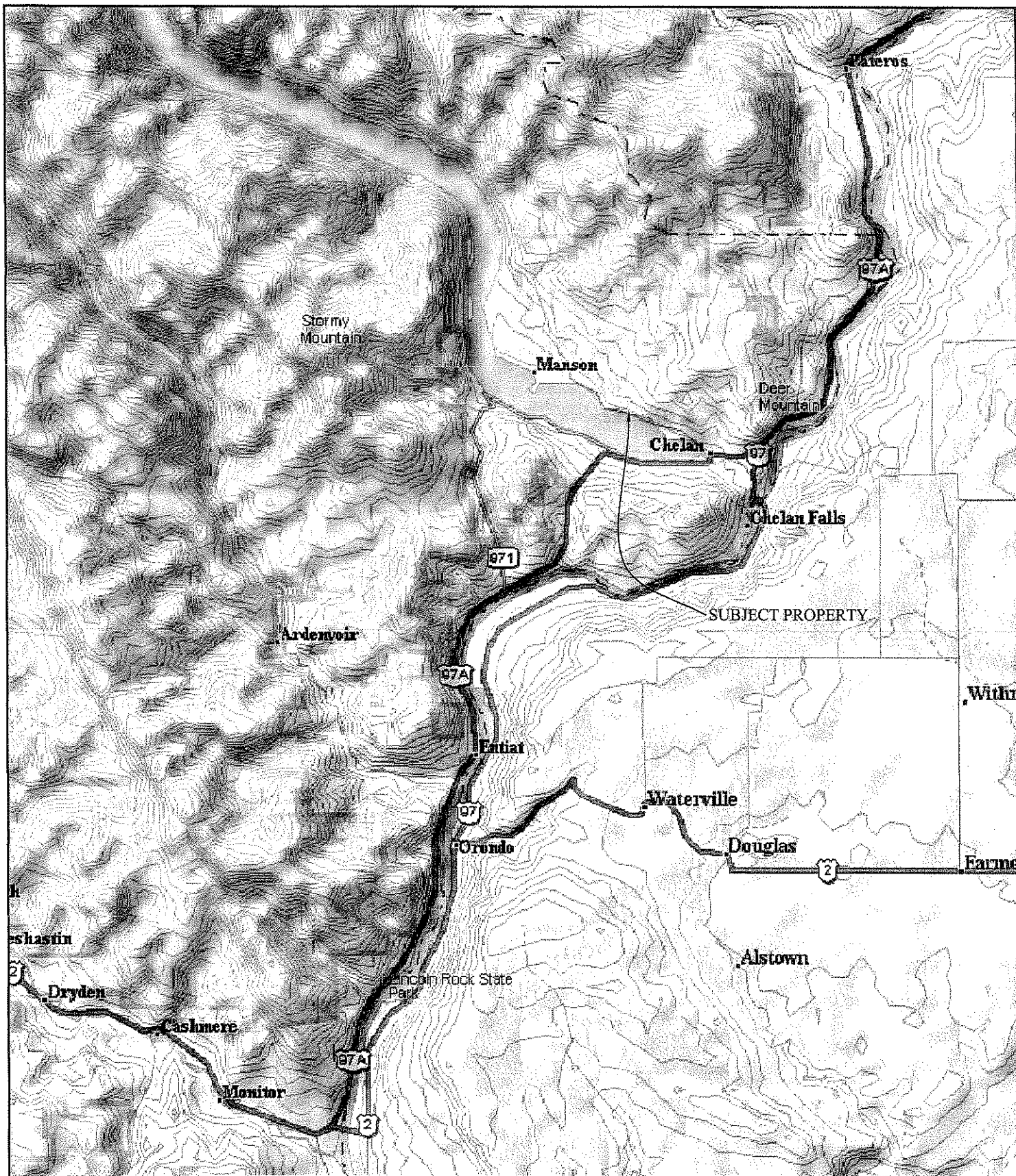
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Deborah.J.Knaub@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail and e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number.

Ecology Comments: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA, may do so by submitting written comments to the following address: Department of Ecology, Attn: SEA program – Federal Permit Coordinator, P.O. Box 47600, Olympia, Washington, 98503-7600, or e-mail to ecyfedpermit@ecy.wa.gov

All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

RLK LLC (Bluewater Terrace), NWS 2008-1572

Encl: Figures (9 pages)



PURPOSE: 46 LOT SUBDIVISION, CONSTRUCTION
OF TWO WATERCROSSINGS AND A 10 SLIP
JOINT-USE PIER

SEE JARPA FOR ADJACENT PROPERTY OWNERS

VICINITY MAP

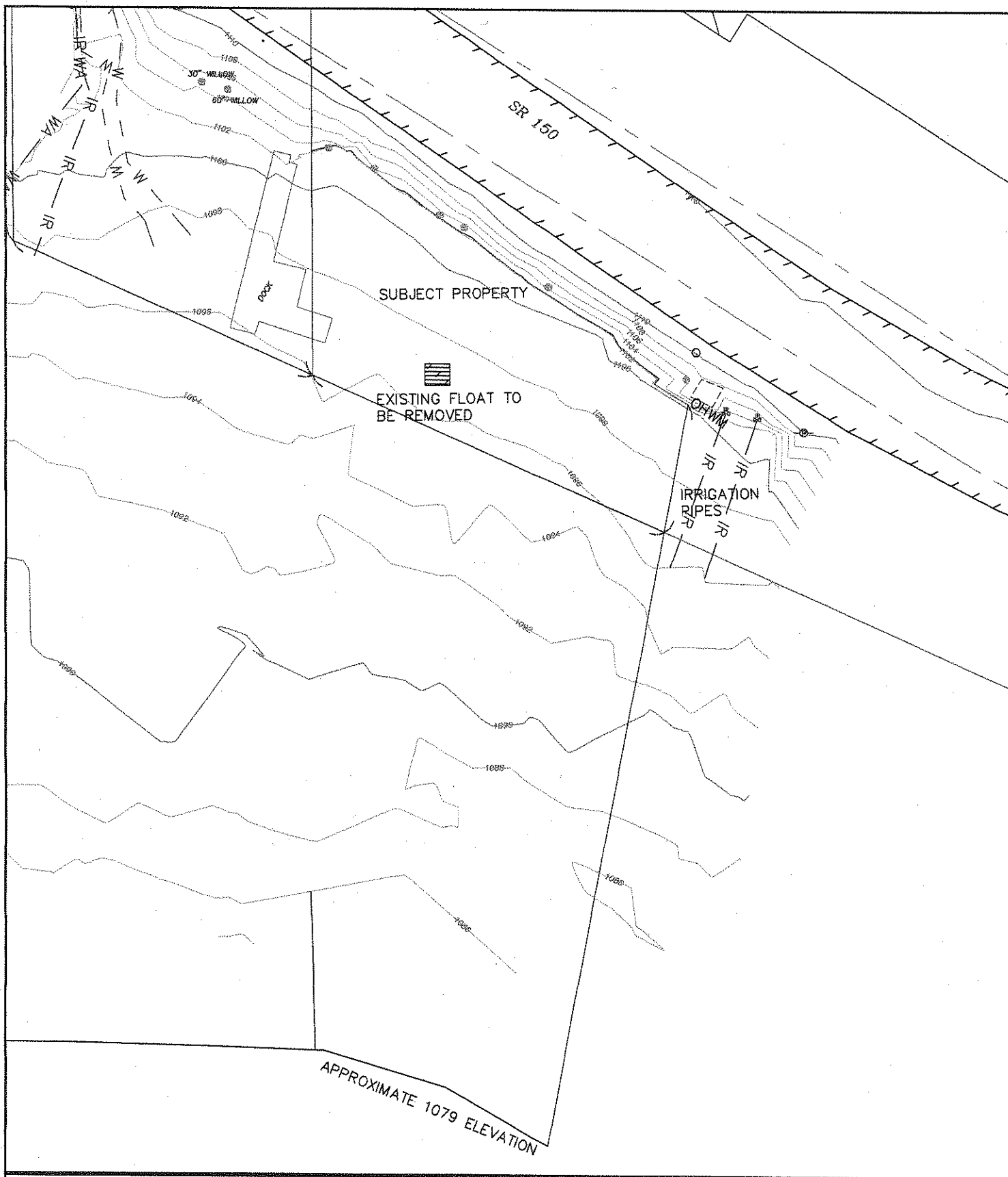


NWS-2008-1572

BLUEWATER TERRACE
IN: LAKE CHELAN
548 SR 150
MANSON, WA 98831

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: RLK LLC

SHEET NO. 1 OF 9 DATE: 12/08



PURPOSE: 46 LOT SUBDIVISION, CONSTRUCTION OF TWO WATERCROSSINGS AND A 10 SLIP JOINT-USE PIER

SEE JARPA FOR ADJACENT PROPERTY OWNERS

EXISTING SHORELINE

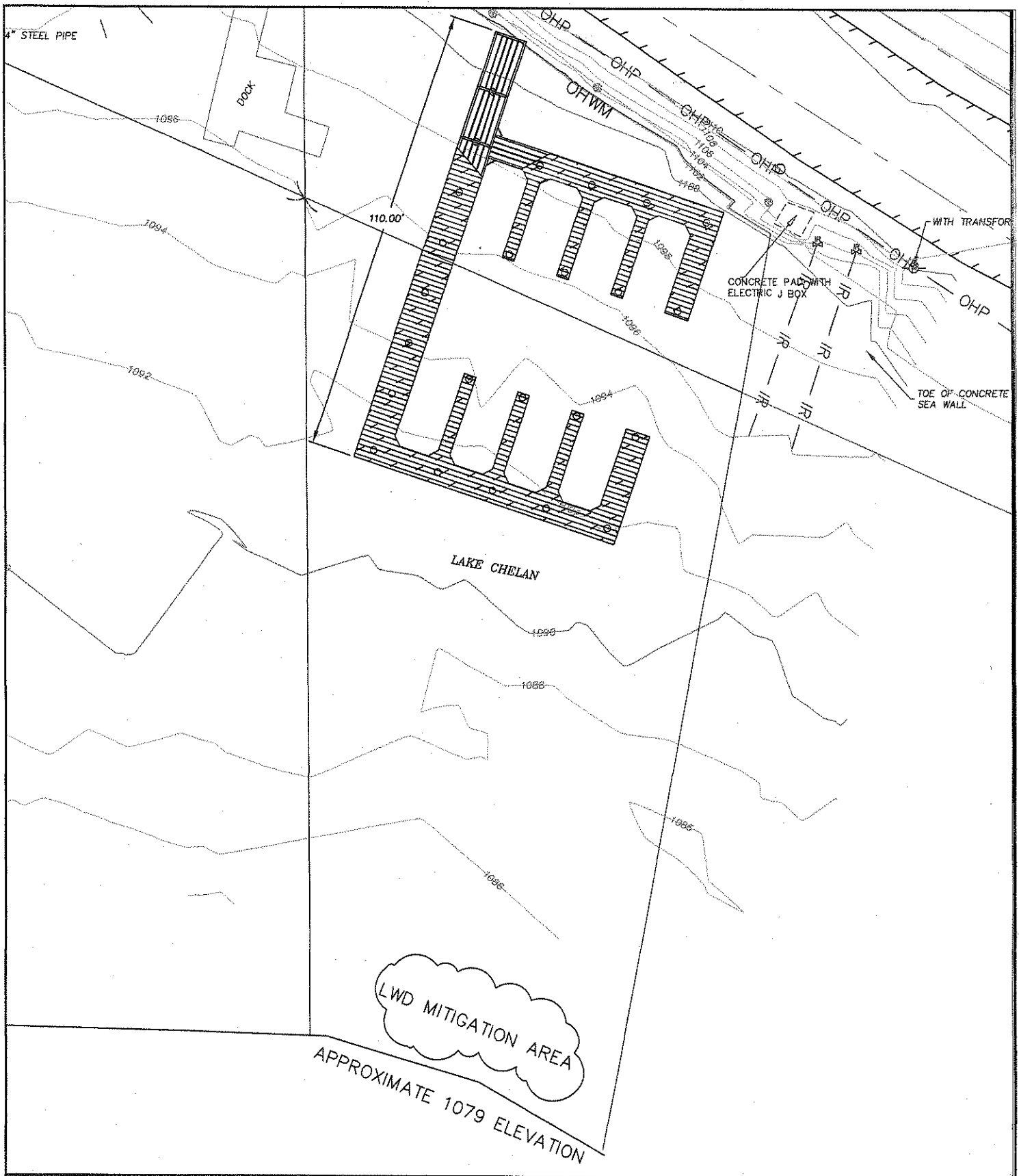


NWS-2008-1572

BLUEWATER TERRACE
IN: LAKE CHELAN
548 SR 150
MANSON, WA 98831

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: RLK LLC

SHEET NO. 2 OF 9 DATE: 12/08



PURPOSE: 46 LOT SUBDIVISION, CONSTRUCTION
OF TWO WATERCROSSINGS AND A 10 SLIP
JOINT-USE PIER

SEE JARPA FOR ADJACENT PROPERTY OWNERS

PROPOSED SHORELINE



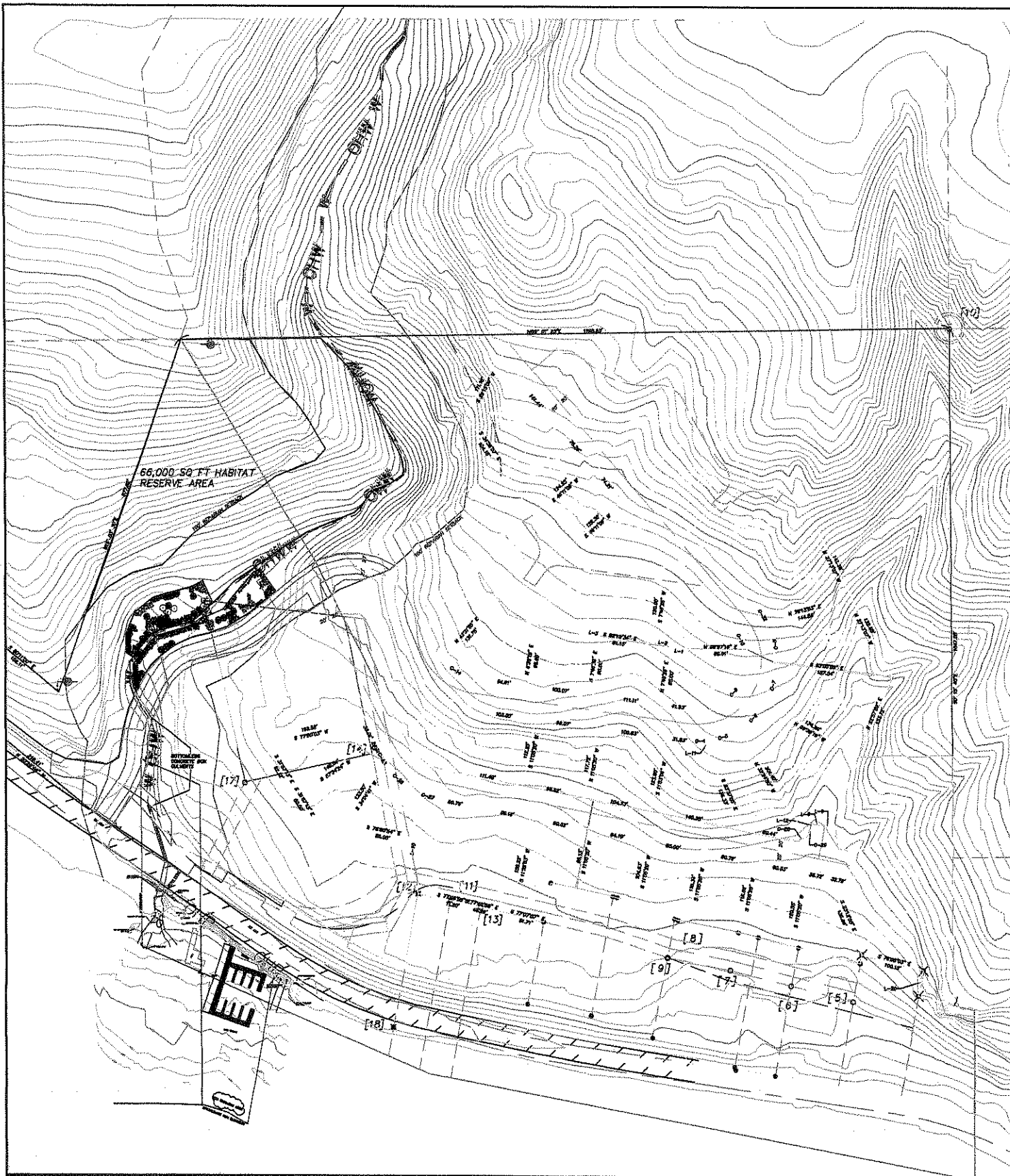
Grette Associates^{LLC}
ENVIRONMENTAL CONSULTANTS

NWS-2008-1572

BLUEWATER TERRACE
IN: LAKE CHELAN
548 SR 150
MANSON, WA 98831

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: RLK LLC

SHEET NO. 3 OF 9 DATE: 12/08



PURPOSE: 46 LOT SUBDIVISION, CONSTRUCTION
OF TWO WATERCROSSINGS AND A 10 SLIP
JOINT-USE PIER

SEE JARPA FOR ADJACENT PROPERTY OWNERS

PROPOSED CONDITIONS

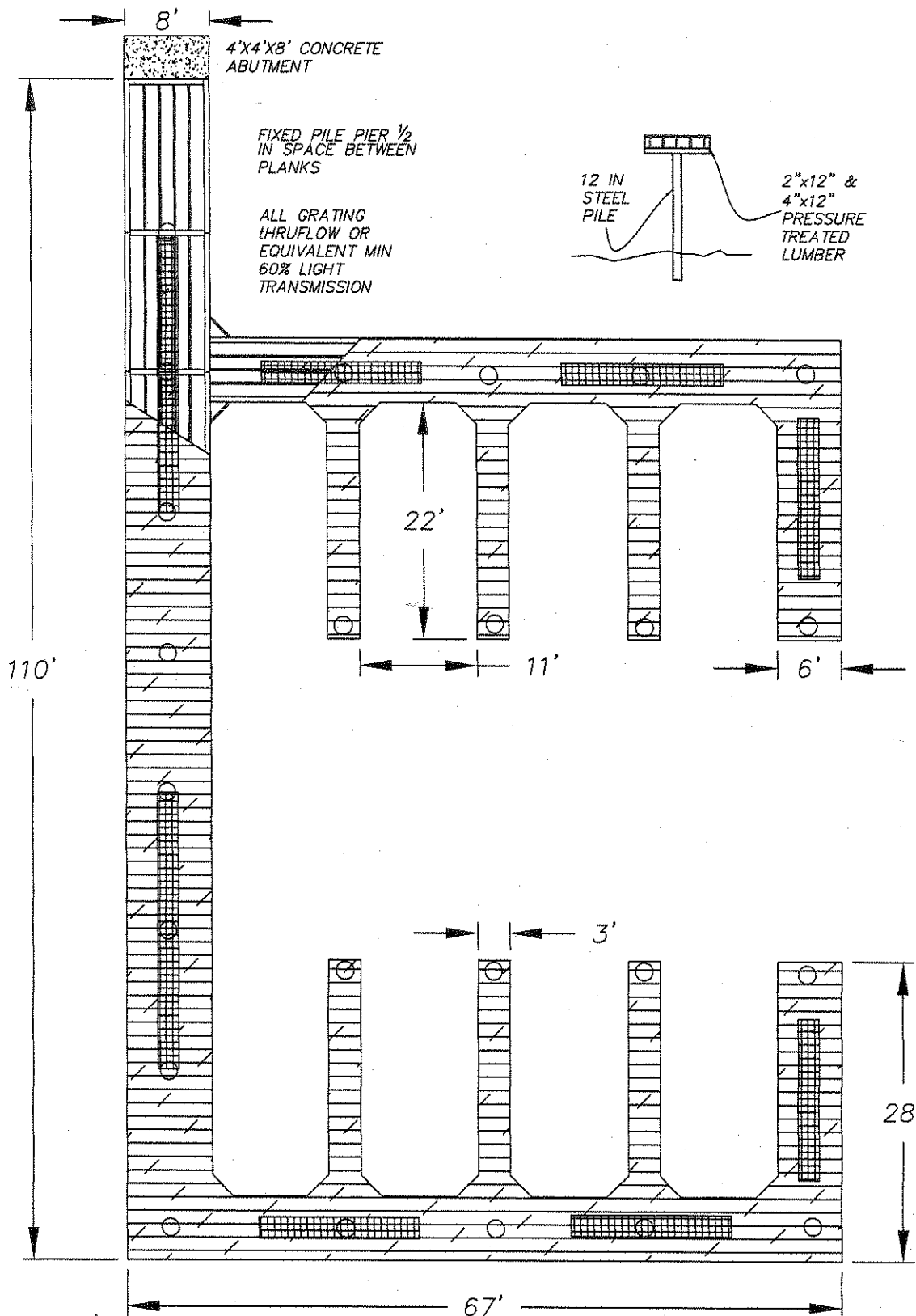
 **Grette Associates**^{LLC}
ENVIRONMENTAL CONSULTANTS

NWS-2008-1572

BLUEWATER TERRACE
IN: LAKE CHELAN
548 SR 150
MANSON, WA 98831

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: RLK LLC

SHEET NO. 4 OF 9 DATE: 12/08



PURPOSE: 46 LOT SUBDIVISION, CONSTRUCTION OF TWO WATERCROSSINGS AND A 10 SLIP JOINT-USE PIER

SEE JARPA FOR ADJACENT PROPERTY OWNERS

PIER PLAN

Grette Associates^{LLC}
ENVIRONMENTAL CONSULTANTS

NWS-2008-1572

BLUEWATER TERRACE
IN: LAKE CHELAN
548 SR 150
MANSON, WA 98831

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: RLK LLC

SHEET NO. 5 OF 9 DATE: 12/08

8X4X4
CONCRETE
ABUTMENT

110'

12 IN STEEL PILES SET IN
8X2X3, 6X2X3 AND 3X2X3
CONCRETE FOOTINGS 1 FT
MINIMUM BELOW LAKEBED



OHWM

10.5'

CROSS SECTION

Grette Associates^{LLC}
ENVIRONMENTAL CONSULTANTS

NW5-2008-1572

BLUEWATER TERRACE
IN: LAKE CHELAN
548 SR 150
MANSON, WA 98831

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: RLK LLC

SHEET NO. 6 OF 9 DATE: 12/08

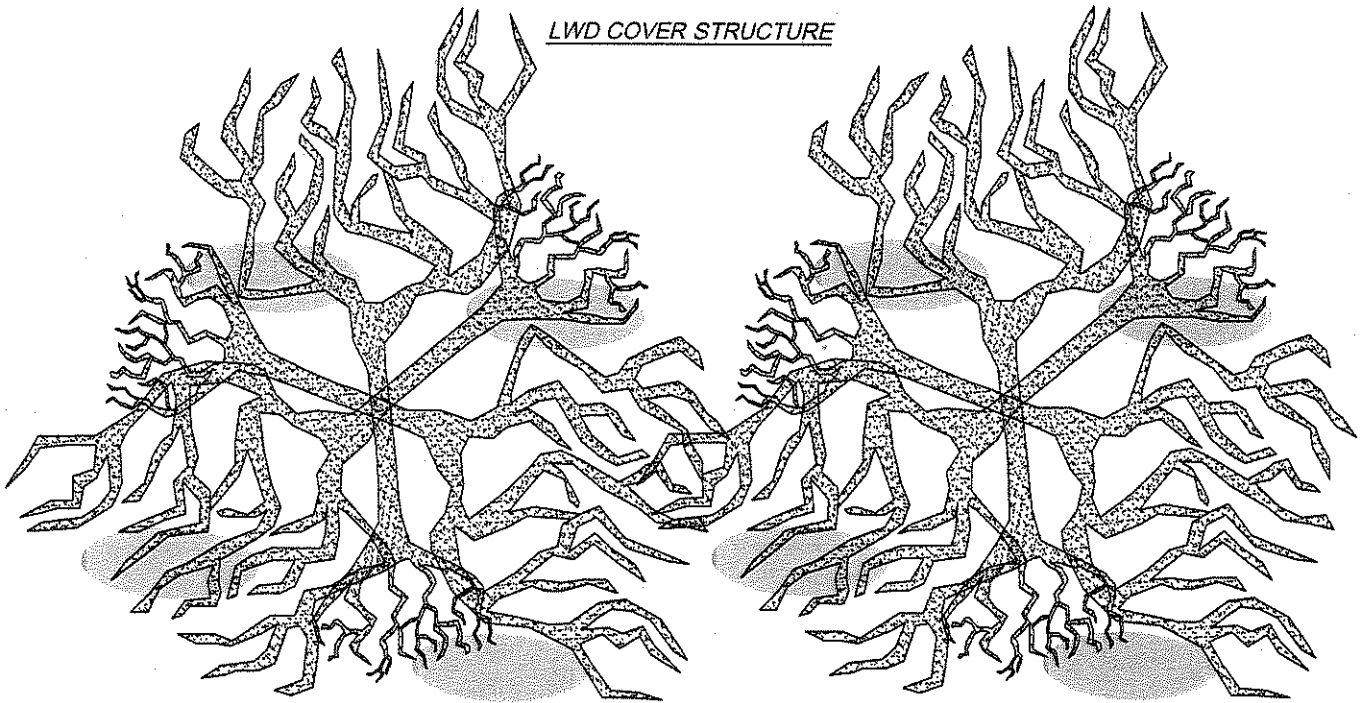
PURPOSE: 46 LOT SUBDIVISION, CONSTRUCTION
OF TWO WATERCROSSINGS AND A 10 SLIP
JOINT—USE PIER

SEE JARPA FOR ADJACENT PROPERTY OWNERS



PHOTOGRAPH OF ACTUAL LWD IN LAKE CHELAN

LWD COVER STRUCTURE



TREES CABLED TOGETHER
AND ANCHORED WITH LARGE
ROCK OR SCREW ANCHORS

WHOLE MATURE FRUIT TREES WITH
LIMBS AND ROOTWADS ATTACHED

PURPOSE: 46 LOT SUBDIVISION, CONSTRUCTION
OF TWO WATERCROSSINGS AND A 10 SLIP
JOINT-USE PIER

SEE JARPA FOR ADJACENT PROPERTY OWNERS

DOCK MITIGATION

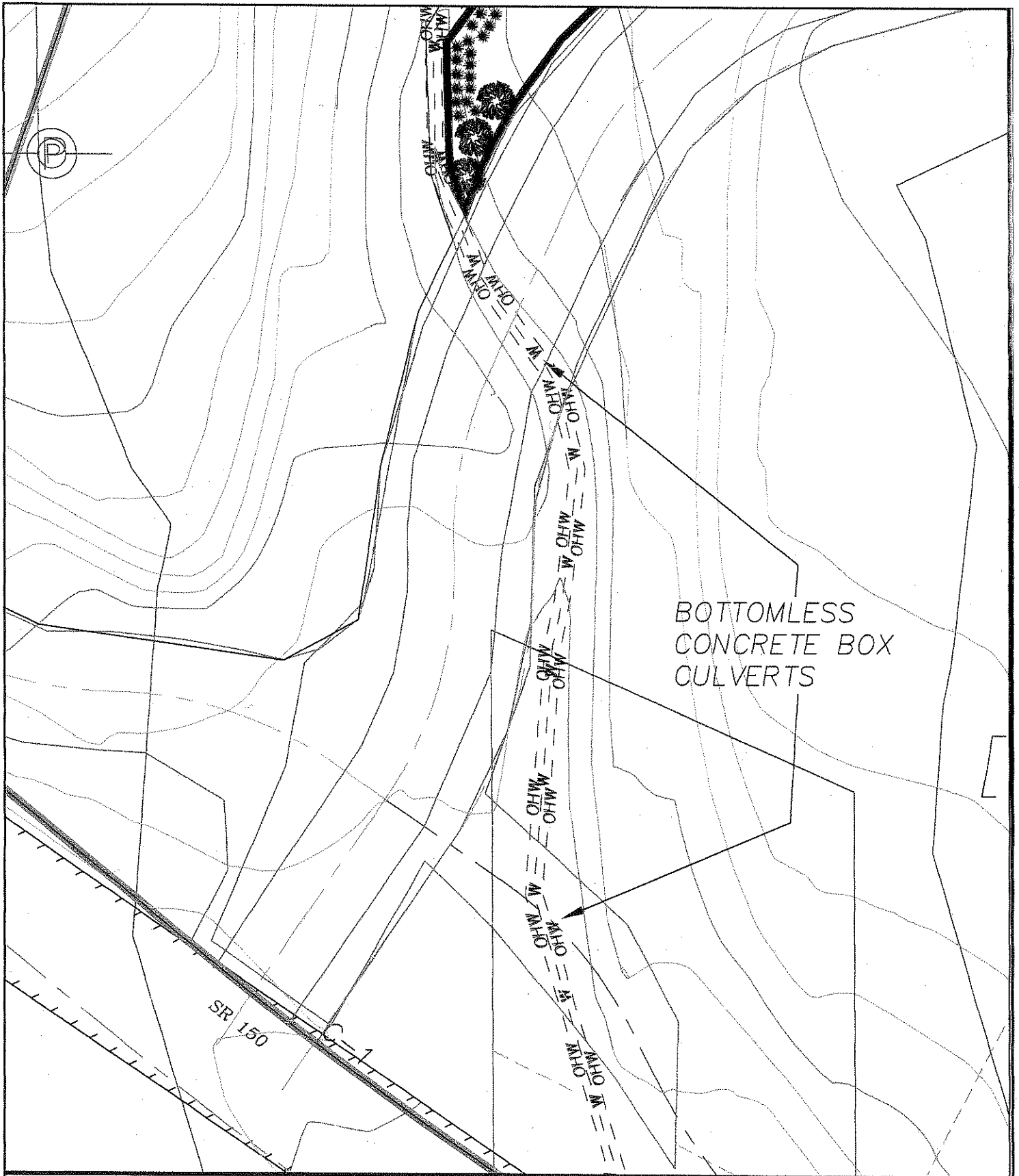
 **Grette Associates**^{LLC}
ENVIRONMENTAL CONSULTANTS

NWS-2008-1572

BLUEWATER TERRACE
IN: LAKE CHELAN
548 SR 150
MANSON, WA 98831

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: RLK LLC

SHEET NO. 7 OF 9 DATE: 12/08



PURPOSE: 46 LOT SUBDIVISION, CONSTRUCTION
OF TWO WATERCROSSINGS AND A 10 SLIP
JOINT-USE PIER

SEE JARPA FOR ADJACENT PROPERTY OWNERS

WATER CROSSINGS

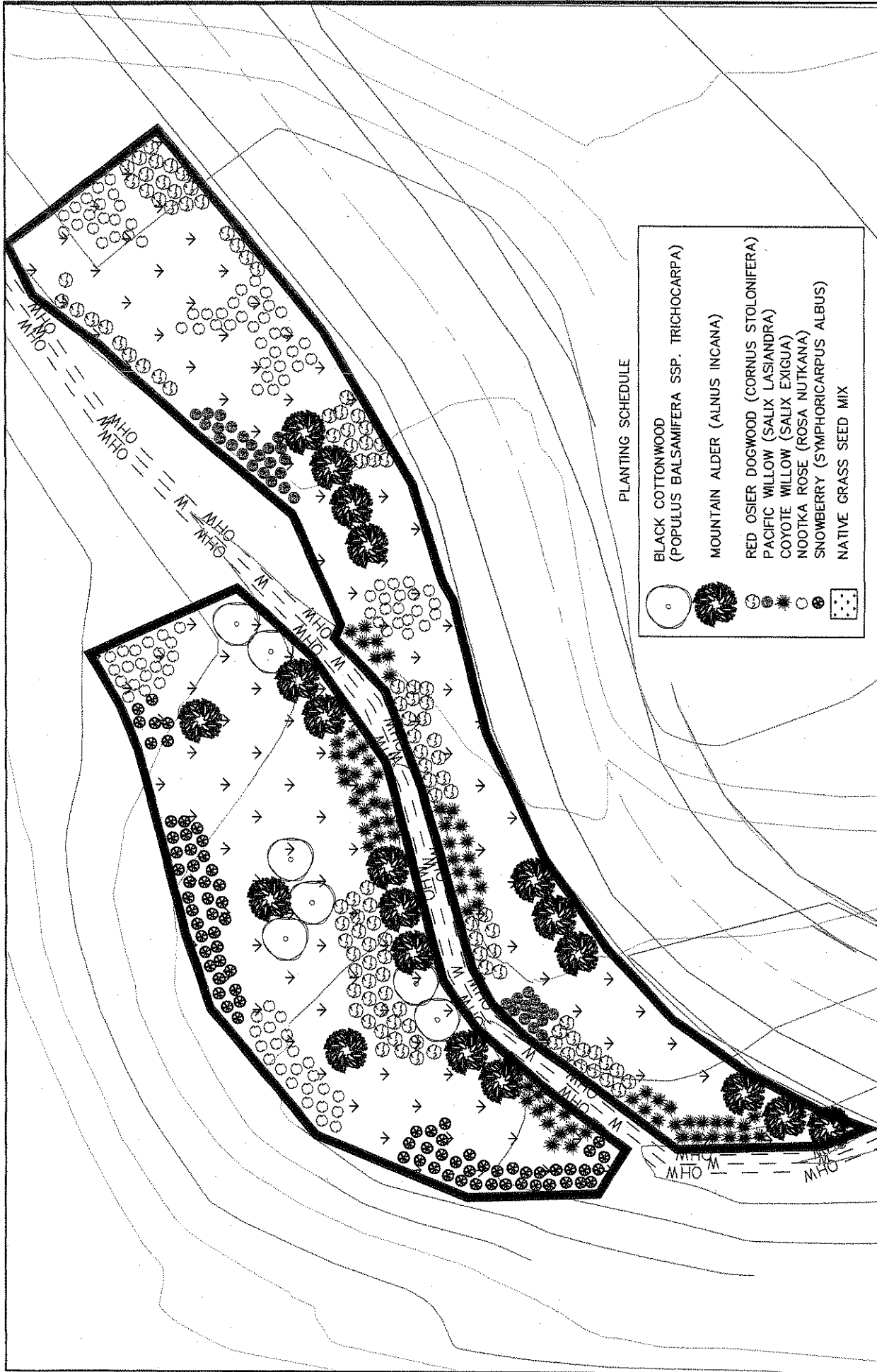


NW5-2008-1572

BLUEWATER TERRACE
IN: LAKE CHELAN
548 SR 150
MANSON, WA 98831

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: RLK LLC

SHEET NO. 8 OF 9 DATE: 12/08



ROAD MITIGATION PLANTINGS

Grette Associates^{INC}
ENVIRONMENTAL CONSULTANTS

NW5-2008-1572

PURPOSE: 46 LOT SUBDIVISION, CONSTRUCTION OF TWO WATERCROSSINGS AND A 10 SLIP JOINT-USE PIER

SEE JARPA FOR ADJACENT PROPERTY OWNERS

BLUEWATER TERRACE
IN: LAKE CHELAN
548 SR 150
MANSON, WA 98831

COUNTY OF: CHELAN
STATE: WA
APPLICATION BY: RLK LLC

SHEET NO. 9 OF 9 DATE: 12/08